

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  Baruch C. Cohen, Esq. (SBN 159455) LAW OFFICE OF BARUCH C. COHEN A Professional Law Corporation 4929 Wilshire Boulevard, Suite 940 Los Angeles, California 90010 (323) 937-4501 Fax (888) 316-6107 e-mail: baruchcohen@baruchcohenesq.com  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Defendant Ernest Mikhail Alfon	FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</b>	
In re: ERNEST MIKHAIL ALFON,  Debtor  ONSITE NURSE CONCIERGE, LLC, a California limited liability company,  Plaintiff vs. ERNEST MIKHAIL ALFON,  Defendant	CASE: 8:21-bk-11483-SC ADV. NO. 8:21-ap-01084-SC CHAPTER: 7  <b>APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]</b>

1. Movant applies under LBR 9075-1(b) for an order setting a hearing on shortened notice on the following motion:
  - a. Title of motion: MOTION CONTINUING 1-18-2023 HEARING ON PLAINTIFF'S MOTION TO COMPEL
  - b. Date of filing of motion: 12/27/2022
2. Compliance with LBR 9075-1(b)(2)(A): (**The following three sections must be completed**):
  - a. Briefly specify the relief requested in the motion:

Plaintiff unilaterally set the hearing on the MOTION TO COMPEL for 1-18-2023 at 11:00am without consulting with Mr. Cohen first. The JOINT STIPULATION that Mr. Cohen signed was blank as to the date and he never agreed to a 1-18-2023 hearing date. Plaintiff improperly added that 1-18-2023 date without conferring with Mr. Cohen to see if he is available. Mr. Cohen has a trial on 1-18-2023 starting at 10:00am before Judge Yun in Riverside Bankruptcy Court that day #6:18-ap-01193-SY. Accordingly, Mr. Cohen is unavailable to appear on that date before Judge Clarkson, and needs to continue the hearing date (and the discovery cutoff).

- b. Identify the parties affected by the relief requested in the motion:

ONSITE NURSE CONCIERGE, LLC, a California limited liability company, Plaintiff, and  
ERNEST MIKHAIL ALFON, Defendant

- c. State the reasons necessitating a hearing on shortened time:

Mr. Cohen has a trial on 1-18-2023 starting at 10:00am before Judge Yun in Riverside Bankruptcy Court that day #6:18-ap-01193-SY. Accordingly, Mr. Cohen is unavailable to appear on that date before Judge Clarkson, and needs to continue the hearing date (and the discovery cutoff).

3. Compliance with LBR 9075-1(b)(2)(B): The attached declaration(s) justifies setting a hearing on shortened notice, and establishes a *prima facie* basis for the granting of the motion.
4. Movant has lodged a proposed Order Setting Hearing on Shortened Notice on mandatory form F 9075-1.1.ORDER .SHORT.NOTICE

Date: 12/27/2022

LAW OFFICE OF BARUCH C. COHEN, APLC

Printed name of law firm

/s/ Baruch C. Cohen

Signature of individual Movant or attorney for Movant

BARUCH C. COHEN

Printed name of individual Movant or attorney for Movant

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**4929 Wilshire Boulevard, Suite 940, Los Angeles, California 90010**

A true and correct copy of the foregoing document entitled: **APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 12/27/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Rick Augustini (PL)	rick.augustini@gmail.com
Thomas H Casey (TR)	msilva@tomcaseylaw.com, thc@trustesolutions.net
United States Trustee (SA)	ustpregion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 12/27/2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Scott Clarkson, 411 West Fourth Street, Suite 5130, Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

12/27/2022  
Date

Baruch C. Cohen, Esq.  
Printed Name

/s/ Baruch C. Cohen  
Signature